

Draft of 12/29/14

Chadds Ford Township
Delaware County, PA

Planning Commission Meeting
Wednesday, December 10, 2014
7:00PM

Call to Order

A meeting of the Chadds Ford Township Planning Commission was called to order on Wednesday, December 10, 2014 at 7:00PM. Present were Chairman Craig Huffman, Vice Chairman Mike Ashmore, Commissioner Bill Mock, Commissioner Tom Kerwin and Commissioner Tom Singer. Ms. Amanda Serock, Manager, Mr. Michael Schneider, Township Engineer, and Mr. Matt DiFilippo, Secretary, were also present.

Minutes

Chairman Huffman's motion to approve the PC minutes of November 12th was seconded by Vice Chairman Ashmore and passed unanimously.

Karen Marshall, Brandywine Battlefield Task Force, Kennett Square resident, inquired about the J. Grace Co., Mansfield Development plans at Oakland Road. Chairman Huffman responded the applicant asked to be removed from the meeting's agenda.

Valerie Hoxter, Painters Crossing, reported recording the meeting.

Old Business: Text and Map Amendment: 600 Brandywine Drive, K. Hovnanian Townhomes
Thom Smith, counsel, K. Hovnanian Homes, reviewed specifics within the proposed ordinance amendment pertaining to K. Hovnanian Homes future plans for the site, 600 Brandywine Drive. He noted the parking provision was added late, and K. Hovnanian provided the revision Monday, December 8th. The version published on the website prior to the meeting didn't include the parking provision.

Vice Chairman Ashmore's motion to recommend a text amendment to PBC-1 to allow multi-family dwellings, and a map amendment at 600 Brandywine Drive from PBC to PBC-1 was seconded by Commission Singer. The Planning Commission requested that an updated financial impact study and traffic study be submitted to the Township prior to the Board of Supervisors' hearing.

Public Comment

Commission Ashmore commented that the proposed amendment is relevant to what the Township's Comprehensive Plan projects, high-density housing, and that even though residential impacts the school district, it's still a positive impact for tax revenue. Chairman Huffman commented that what's being proposed at 600 Brandywine Drive is a superior plan, regarding

the environment, specifically impervious coverage, compared to what's allowed by right, another shopping center. He continued, there will be an impact on the school district and it is a concern, but economically positive for local businesses.

Valerie Hoxter, Painters Crossing, inquired about process, and the benefit of a text amendment and a map change before a formal plan is received. Chairman Huffman responded that it's not a plan being approved but a concept of a possibility that can be placed on the property in question, and that the applicant will still have to go through the conditional use, subdivision and land development, and ultimately, permitting processes. John Snook, Brandywine Conservancy, Land Planner, commented that it's common to approve a text and map amendment before a plan is received. Vice Chairman Ashmore commented that the process for amending ordinances is separate to the approval of plans.

Manager Serock confirmed that a hearing will be scheduled at the Board of Supervisors' regular meeting in February 2015.

Eric Gartner, Harvey Lane, inquired about the age of the Township's Comprehensive Plan and whether or not the Township's Comprehensive Plan was up-to-date.

Bruce Prabel, commented on the increase in tax revenue homes will bring versus the shopping center allowed by-right at the Brandywine Drive location.

Motion passes unanimously.

Township Ordinance Review: Noise Ordinance

Chairman Huffman introduced the noise ordinance, and requested public comment regarding a draft noise ordinance concerning noise issues in the Township.

Eric Gartner, Harvey Lane, expressed issues with the verbiage of the draft noise ordinance, specifically, exemptions for schools and churches and the permitting process. He continued, expressing concern about his neighbor, Calvary Church on Brandywine Drive, specifically, the following issues: excessive noise at outdoor events, stormwater runoff, buffer encroachment, and crowd control citing trespassing and defecating on his property.

Maurice Todd, Harvey Lane, discussed measuring noise in detail, and reviewed definitions pertinent to measuring noise such as ambient noise, stationary noise, organized noise, spontaneous noise, pure tones, impulsive sounds and devices used in measuring noise.

Stephen Smickley, Pastor, Calvary Chapel, Brandywine Drive, inquired about the Township's process of passing a noise ordinance, the validity of qualifying noise complaints, properly measuring said complaints, and procedures for hearing such complaints. He also expressed concern about the "prima facie" condition, which Chairman Huffman responded would be dealt with by the Code Enforcement official. There was discussion about what people generally consider church activities versus what could be a church activity, specifically, large weekly and/

or monthly events. There was also discussion about facilitating and addressing neighborhood disputes and such mediation programs.

Valerie Hoxter, Painters Crossing, inquired about a time span for certain levels of noise, changing such a span to make it more restrictive, and how to enforce noise disturbances. She also inquired if construction noise could be limited.

Chairman Huffman made a motion to recommend the draft Noise Ordinance to the Board of Supervisors.

Public Comment

Commissioner Mock commented that any Township ordinance is for the entire community and cannot let a dispute affect the ordinance being drafted. Vice Chairman Ashmore commented that the draft as it stands needs another review and that he has written comments.

Chairman Huffman's motion was tabled.

Vineyard Commons, Concord Township: Appointment of CFT PC Representative

Commissioner Singer was designated as the representative for the proposed Vineyard Commons development in neighboring Concord Township.

Adjournment

The Planning Commission meeting was adjourned at 9:24PM.

Respectfully submitted,

Matt DiFilippo
Secretary